

CHAPTER NO. 784

HOUSE BILL NO. 2915

By Representative Hargrove

Substituted for: Senate Bill No. 2811

By Senator Crutchfield

AN ACT to amend Tennessee Code Annotated, Sections 48-11-303(a) through (c) and Sections 48-51-303(a) through (c), and to repeal Tennessee Code Annotated, Section 67-4-412, relative to filing, service and copying fees and privilege taxes collected by the Secretary of State.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 48-11-303(a)-(c), is amended by deleting the existing subsections in their entirety and by substituting instead the following:

(a) The Secretary of State shall collect the following fees when the documents described in this subsection are delivered to the Secretary of State for filing:

| <u>Document</u> | <u>Fee</u> |
|---|------------|
| (1) Charter (including designation of initial registered office and agent) | \$100.00 |
| (2) Application for use of indistinguishable name | \$20.00 |
| (3) Application for reserved name | \$20.00 |
| (4) Notice of transfer or cancellation of reserved name | \$20.00 |
| (5) Application for registered name | \$20.00 |
| (6) Application for renewal for registered name | \$20.00 |
| (7) Application for or change, cancellation, or renewal of, assumed name | \$20.00 |
| (8) Corporation's statement of change of registered agent or registered office, or both | \$20.00 |
| (9) Agent's statement of change of registered office | \$20.00 |
| (10) Agent's statement of resignation | \$20.00 |
| (11) Charter amendment | \$20.00 |
| (12) Restatement of charter | \$20.00 |

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| (13) | Amended and restated charter | \$20.00 |
| (14) | Articles of merger or share exchange | \$100.00 |
| (15) | Articles of dissolution and termination by incorporators or directors | \$20.00 |
| (16) | Articles of dissolution | \$20.00 |
| (17) | Articles of revocation of dissolution | \$20.00 |
| (18) | Articles of termination of corporate existence | \$20.00 |
| (19) | Certificate of administrative dissolution | No fee |
| (20) | Application for reinstatement following administrative dissolution | \$70.00 |
| (21) | Articles of termination following administrative dissolution or revocation | \$100.00 |
| (22) | Certificate of reinstatement | No fee |
| (23) | Certificate of judicial dissolution | No fee |
| (24) | Application for certificate of authority (including designation of initial registered office and agent) | \$600.00 |
| (25) | Application for amended certificate of authority | \$20.00 |
| (26) | Application for certificate of withdrawal | \$20.00 |
| (27) | Certificate of revocation of authority to transact business | No fee |
| (28) | Application for certificate of withdrawal following administrative revocation | \$100.00 |
| (29) | Application for reinstatement following administrative revocation | \$70.00 |
| (30) | Annual report | \$20.00 |
| (31) | Articles of correction | \$20.00 |
| (32) | Application for certificate of existence or authorization | \$20.00 |

- (33) Any other document required or permitted to be filed by Chapters 11-27 of this Title \$20.00

(b) The Secretary of State shall collect a fee of twenty dollars (\$20.00) each time process is served on the Secretary of State under Chapters 11-27 of this Title. The party to a proceeding causing service of process is entitled to recover this fee as costs if such party prevails in the proceeding.

(c) The Secretary of State shall collect a fee of twenty dollars (\$20.00) for copying all filed documents relating to a domestic or foreign corporation. All such copies will be certified or validated by the Secretary of State.

SECTION 2. Tennessee Code Annotated, Section 48-51-303(a)-(c), is amended by deleting the existing subsections in their entirety and by substituting instead the following:

The Secretary of State shall collect the following fees when the documents described in this subsection are delivered to the Secretary of State for filing:

| <u>Document</u> | <u>Fee</u> |
|---|------------|
| (1) Charter (including designation of initial registered office and agent) | \$100.00 |
| (2) Application for use of indistinguishable name | \$20.00 |
| (3) Application for reserved name | \$20.00 |
| (4) Notice of transfer or cancellation of reserved name | \$20.00 |
| (5) Application for registered name | \$20.00 |
| (6) Application for renewal of registered name | \$20.00 |
| (7) Application for or change, cancellation, or renewal of, assumed name | \$20.00 |
| (8) Corporation's statement of change of registered agent or registered office, or both | \$20.00 |
| (9) Agent's statement of change of registered office | \$20.00 |
| (10) Agent's statement of resignation | \$20.00 |
| (11) Charter amendment | \$20.00 |
| (12) Restatement of charter | \$20.00 |
| (13) Amended and restated charter | \$20.00 |
| (14) Articles of merger | \$100.00 |

| | | |
|------|---|----------|
| (15) | Articles of dissolution and termination by incorporators or directors | \$20.00 |
| (16) | Articles of dissolution | \$20.00 |
| (17) | Articles of revocation of dissolution | \$20.00 |
| (18) | Articles of termination of corporate existence | \$20.00 |
| (19) | Certificate of administrative dissolution | No fee |
| (20) | Application for reinstatement following administrative dissolution | \$70.00 |
| (21) | Certificate of reinstatement | No fee |
| (22) | Articles of termination following administrative dissolution or revocation | \$100.00 |
| (23) | Certificate of judicial dissolution | No fee |
| (24) | Application for certificate of authority (including designation of initial registered office and agent) | \$600.00 |
| (25) | Application for amended certificate of authority | \$20.00 |
| (26) | Application for certificate of withdrawal | \$20.00 |
| (27) | Certificate of revocation of authority to transact business | No fee |
| (28) | Application for reinstatement following administrative revocation | \$70.00 |
| (29) | Application for certificate of withdrawal following administrative revocation | \$100.00 |
| (30) | Annual report | \$20.00 |
| (31) | Articles of correction | \$20.00 |
| (32) | Application for certificate of existence or authorization | \$20.00 |
| (33) | Any other document required or permitted to be filed by chapters 51-68 of this title | \$20.00 |

(b) The Secretary of State shall collect a fee of twenty dollars (\$20.00) each time process is served on the Secretary of State under Chapters 51-68 of this Title. The party to a proceeding causing service of process is entitled to recover this fee as costs if such party prevails in the proceeding.

(c) The Secretary of State shall collect a fee of twenty dollars (\$20.00) for copying all filed documents relating to a domestic or foreign corporation. All such copies will be certified or validated by the Secretary of State.

SECTION 3. Tennessee Code Annotated Section 67-4-412, is repealed.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 9, 1998


JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 22nd day of April 1998


DON SUNDQUIST, GOVERNOR